

Panaji, 12th February, 2009 (Magha 23, 1930)

SERIES I No. 46

# OFFICIAL GOVERNMENT OF GOA GAZETTE



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## GOVERNMENT OF GOA

### Department of Finance

#### (Budget) Division

#### Notification

1-32-2006-Fin(Bud)/Part I

In pursuance of consent received from Reserve Bank of India vide their letter No. PAD SG CELL/ /5850 dated 2-5-2008, Government is pleased to accord permission to the State Bank of India for introduction of Cyber Treasury to facilitate online payment of Government of Goa Receipts including taxes and fees with immediate effect, subject to the condition that there will not be any change in the existing system for reporting the transactions to the Reserve Bank of India.

By order and in the name of the Governor of Goa.

S. Shanbhogue, Joint Secretary (Budget).

Parvorim, 6th February, 2009.

## (Debt Management) Division

#### Notification

1-45-2005-Fin(Bud)

Government of Goa hereby notifies the sale of Goa Government Stock (securities) of 10 year tenure for an aggregate amount of Rs. 200.00 crore (Nominal). The sale will be subject to the terms and conditions spelt out in this notification (called specific notification) as also the terms and conditions specified in the revised General Notification No.1-45-2005-Fin (Bud) dated July 18, 2007 of Government of Goa.

#### Object of the Loan

1. (i) The proceeds of the loans will be utilized for financing capital expenditure in connection with the development programmes of the Government of Goa.

(ii) Consent of Central Government has been obtained to the floatation of this loan as required by Article 293(3) of the Constitution of India.

### Method of issue

2. Government stock will be sold through the Reserve Bank of India, Mumbai Office (PDO) Fort Mumbai - 400 001 by auction in the manner as prescribed in paragraph 6.1 of the revised General Notification No. 1-45-2005-Fin (Bud) dated July 18, 2007 at a coupon rate to be determined by the Reserve Bank of India at the yield based auction under multiple price format.

### Place and Date of Auction

3. The auction will be conducted by the Reserve Bank of India, at its Mumbai Office, Fort, Mumbai on February 5, 2009. The application form duly filled in with the bids should be submitted to the aforesaid office on February 5, 2009 by 12.30 p.m.

### Result of the Auction

4. The result of the auction shall be displayed by the Reserve Bank of India at its Mumbai Office, Fort, Mumbai on February 5, 2009. The payment by successful bidders will be on February 6, 2009.

### Method of Payment

5. Successful bidders will make payments on February 6, 2009 before close of banking hours by

means of cash, bankers' cheque/pay order demand draft payable at Reserve Bank of India, Mumbai or a cheque drawn on their account with Reserve Bank of India, Mumbai (Fort)/Mumbai.

### Tenure

6. The stock will be of ten-year tenure. The tenure of the Stock will commence on February 6, 2009.

### Date of Repayment

7. The loan will be repaid at par on February 6, 2019.

### Rate of Interest

8. The cut-off yield determined at the auction will be the coupon rate percent per annum on the Stock sold at the auction. The interest will be paid every half yearly on August 6 and February 6.

### Eligibility of Securities

9. The Investment in Government Stock will be reckoned as an eligible Investment in Government Securities by banks for the purpose of Statutory Liquidity Ratio (SLR) under Section 24 of the Banking Regulation Act, 1949. The stocks will qualify for the ready forward facility.

By order and in the name of the Governor of Goa.

*Uddipta Ray*, Secretary (Finance).

Porvorim, 30th January, 2009.

### Tender Application Form

The Regional Director,  
Reserve Bank of India,  
Public Debt Office,  
Mumbai 400 001.

Dear Sir,

### **Tender for 10 year-Goa Government Stock, 2019 for an aggregate amount of Rs. 200.000 crore Auction to be held on February 5, 2009**

Pursuant to Government of Goa, Ministry of Finance, Notification No. 1-45-2005/Fin (Bud) dated January 30, 2009 and the Tender Notice issued by you, I/We, the undersigned hereby offer to purchase the 10 year Goa Government Stock 2019 on the captioned dated as set out below.

- (i) ~~Name of the bidder~~ Name (\$\$) .....
- (ii) Address & Telephone No. ....
- (iii) ~~SLR~~ SLR, if any .....
- (iv) ~~Current Account No.~~ Current Account No., if any .....

- (v) Nominal value of Stock required.....
- (vi) Yield per cent per annum desired to be earned thereon (expressed upto two decimal points rounded off to multiples of one).....
- (vii) Name of the Public Debt Office where the SGL account is desired to be credited/stock issued: : Mumbai
- (viii) Place at which application money will be tendered : Mumbai
- (ix) Place at which interest on Stock should be paid.....

### **Undertaking**

1. On your acceptance of my/our bid. I/We agree/undertake to immediately collect the letter of acceptance from your Office and to deposit the requisite amount at Reserve Bank of India, Mumbai on the day/time as indicated therein.
2. I/We have read the terms and conditions of bidding for the auction to be held on the captioned date and under take to abide by them.
3. I/We have also submitted another bid(s)/not submitted any other bid (strike out which is not necessary) for the auction to be held on the captioned date.

Yours faithfully,

Signature and  
Office Stamp of the Bidder/s

Dated:

(\$\$) If the application is on behalf of the Constituent, indicate the name of the Constituent.

### **Notes**

1. If the applicant's signature is by thumb mark, it should be witnessed by two persons. The full name, occupation and address of the witnesses should be appended to their signature.
2. If the application is made in the name of a registered body, the under noted documents, if not already registered at the Public Debt Office, should be submitted by the successful bidder to the Public Debt Office, Reserve Bank of India, Mumbai Office, Fort, Mumbai.
  - (i) Certificate of Incorporation/Registration in original or a copy thereof certified as true by the issuing authority under his official seal.
  - (ii) Certified copies of Memorandum and Articles of Association or the rules and regulations/Bye-Laws of the Company/body.
  - (iii) Certified copy of resolution in favour of person/s authorised to deal in Government securities on behalf of the company/body together with his/their duly attested specimen signature(s).
3. Applicant should also complete a Mandate Form (obtainable from the Public Debt Office, Mumbai for remittance of half-yearly interest on Stock Certificate/s issued to them.

**Terms and Conditions**

1. The Goa Government Stock will be issued for a minimum amount of Rupees ten thousand (face value) and in multiples thereof.
2. Separate tender form should be completed for each bid.
3. Results of the auction would be displayed at Reserve Bank of India, Mumbai Office, Fort, Mumbai.
4. Reserve Bank of India will have full discretion to accept or reject any or all bids either wholly partially, if deemed fit without assigning any reason.
5. Tenderer should check for himself the result of the auction and, if successful, collect the letter of acceptance of the tender from the Reserve Bank of India, Mumbai.
6. In the case of accepted tenders, the Goa Government Stock would be issued for the nominal amount applied for at a price arrived at with reference to the yield per cent per annum desired to be earned thereon as given in the bid subject to a minimum allotment of Rs. 10,000 and further in multiples thereof.
7. The successful bidders will make payment on February 6, 2009 before close of banking hours by means of cash, Bankers Cheque/Pay Order or Demand Draft payable at Reserve Bank of India, Mumbai or a cheque drawn on the account with Reserve Bank of India, Mumbai.
8. The Government Stock will be issued to the parties by credit to their Subsidiary General Ledger Account maintained with Reserve Bank of India to those having such accounts and in the form of Stock Certificates to others.

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**Goa Legislature Secretariat**

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LA/LEGN/2009/3323

The Select Committee Report on the Goa Co-operative Societies (Amendment) Bill, 2008 which was presented in the Legislative Assembly of the State of Goa on 3rd February, 2009 is hereby published for general information in pursuance of Rule - 231 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

**COMPOSITION**

COMPOSITION OF THE SELECT COMMITTEE ON THE GOA  
CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 2008

CHAIRMAN

Shri Ravi Naik

Minister for Co-operation

MEMBERS

Shri Nilkanth Halarnkar  
 Shri Deepak Dhavalikar  
 Shri Pandurang Madkaikar  
 Shri Laxmikant Parsekar  
 Shri Francis D'Souza  
 Shri Aleixo Reginaldo Lourenco

LEGISLATURE SECRETARIAT

Shri R. Kothandaraman	Secretary
Shri N. B. Subhedar	Under Secretary
Shri H. F. Noronha	Section Officer

**INTRODUCTION**

I, the Chairman of the Select Committee on the Goa Co-operative Societies (Amendment) Bill, 2008 (Bill No. 37 of 2008), having been authorized by the Committee to present this First Report, present it to the House during its Sixth Session.

PORVORIM, GOA.  
 28 JANUARY, 2009.

SHRI RAVI NAIK  
 CHAIRMAN

**FIRST REPORT**

The Goa Co-operative Societies (Amendment) Bill, 2008 was introduced on 25th August, 2008. It was taken up for consideration on 27th August, 2008 and referred to a Select Committee of the House. The composition of the Select Committee has been specified in the motion for reference of the Bill to the Select Committee (Motion at Annexure - I). The Committee was instructed to give its report by 29th of August, 2008 to the House.

2. At its first meeting on the 28th August, 2008, the Committee felt that at least 3 months more time was required. The Committee also took note of serious drafting errors and desired that a fresh draft of the Bill may be made and circulated to the Committee. (The minutes of the meeting held on 28 August, 2008 is at Annexure - II.)

3. The Chairman moved on the 28th August, 2008, a motion in the House for extension of time for presentation of report and also for expansion of the terms of reference of the Committee to include thorough review of the parent Act. (The motion for extension of time and expansion of terms of reference is at Annexure - III)

4. Accordingly, the time for presentation of the report stood extended by 3 months from the date of prorogation of the fifth session. The fifth session was prorogued on 22nd September, 2008 and the extended time expired on 22nd December, 2008.

5. At its sitting held on 25th November, 2008, the Committee was informed that the Bill has been redrafted after curing drafting and other defects and will be promulgated as an Ordinance. A proposal for promulgation of Ordinance was, however, mooted to the Governor, after he has summoned the House on 31st December, 2008 to meet on 2nd February, 2009. The Governor did not agree to promulgate the Ordinance. The minutes of the meeting may be seen at Annexure – IV.

6. The time for presentation of report was further extended by the Speaker on 6th January, 2009, as the House was not in session, to the last day of the first week in which the House meets for the next session i.e. sixth session. (Bulletin Part-II No. 12 dated 6 January, 2009 is at Annexure – V).

7. At its sitting held on the 28th January, 2009 (minutes at Annexure – VI), the Committee was informed that official amendments as shown in Annexure – VII will be moved to the Bill. The Committee considered and agreed to the amendments. **The Committee therefore recommends that the Bill may be considered and passed with official and other amendments during the sixth session. The Committee adopted this First Report on the Bill at its sitting held on the 28th January, 2009.**

**8 The Committee decided to thoroughly examine the working of the Goa Co-operative Societies Act, 2001 (Act No. 36 of 2001) in future sittings and present the Second Report of the Committee.**

#### ANNEXURE – I

#### BULLETIN PART – I (NO. 18) DATED 27 AUGUST, 2008

#### PARA 7(3)

#### GOVERNMENT BILL REFERRED TO SELECT COMMITTEE

On an amendment to the motion for consideration of the Goa Co-operation Societies (Amendment) Bill, 2008, moved by Shri Ravi Naik, Minister for Co-operation that the Bill be referred to a Select Committee, the Bill was referred to a Select Committee comprising the following, with instructions to report by 29th August, 2008:–

#### CHAIRMAN

Shri Ravi Naik

Hon'ble Minister for Co-operation

#### MEMBERS

Shri Nilkanth Halarnkar

Shri Deepak Dhavalikar

Shri Pandurang Madkaikar

Shri Laxmikant Parsekar

Shri Francis D'Souza

Shri Aleixo Reginaldo Lourenco

ANNEXURE - II

**MINUTES OF THE MEETING OF THE SELECT  
COMMITTEE ON THE GOA CO-OPERATIVE SOCIETIES  
(AMENDMENT) BILL, 2008 HELD ON  
THURSDAY, 28th AUGUST, 2008**

The Committee met at 10 00 a.m. on Thursday, 28th August, 2008 in the Public Accounts Committee Room, Assembly Complex, Parvorim, Goa.

2. The following were present:

CHAIRMAN

Shri Ravi Naik

Hon'ble Minister for Co-operation

MEMBERS

Shri Nilkanth Halamkar

Shri Deepak Dhavalikar

Shri Pandurang Madkaikar

Shri Laxmikant Parsekar

Shri Francis D'Souza

Shri Aleixo Reginaldo Lourenco

LEGISLATURE SECRETARIAT

Shri R. Kothandaraman

Secretary

Shri N. B. Subhedar

Under Secretary

Shri H. F. Noronha

Section Officer

G OVERNMENT SECRETARIAT

Shri K. S. Singh

Secretary (Law & Co-op.)

Shri P. V. Kachkar

Special Secretary (Law)

Shri P. K. Patidar

Registrar, Co-op. Societies

Shri C. D. Gawade

Dy. Registrar (Co-op.)

3. The Committee considered the Goa Co-operatives Societies (Amendment) Bill, 2008.

4. The Committee recommended that the Bill may be redrafted and forwarded to the Committee for perusal by 25th September, 2008.

5. The Committee further recommended that, by a motion moved in the House, the time for presentation of report may be extended by 3 more months.

**The Committee then adjourned.**

(A digital record of the proceedings was kept).

ANNEXURE — III

**BULLETIN PART — I (No. 19) DATED 28 AUGUST, 2008**

**PARA 7**

**MOTION FOR EXTENSION OF TIME AND EXPANSION OF TERMS OF REFERENCE OF SELECT COMMITTEE ON THE GOA CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 2008**

SHRI RAVI NAIK, Minister for Co-operation moved the following:

"This House do extend the time for presentation of the Report of the Select Committee on the Goa Co-operative Societies (Amendment) Bill, 2008 (appointed by the House on 27th August, 2008) to 3 months from the date of prorogation of the Fifth Session of the Fifth Goa Legislative Assembly and this House further do expand the terms of reference of the said Committee to thoroughly study the Goa Co-operative societies Act, 2001 (Act No. 36 of 2001) and report thereon."

The motion was adopted.

ANNEXURE - IV

**MINUTES OF THE MEETING OF THE SELECT COMMITTEE ON THE GOA CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 2008 HELD ON THURSDAY, 25th NOVEMBER, 2008**

The Committee met at 10.00 a.m. on Tuesday, 25th November, 2008 in the Public Accounts Committee Room, Assembly Complex, Porvorim, Goa.

2. The following were present:

CHAIRMAN

Shri Ravi Naik

Hon'ble Minister for Co-operation

MEMBERS

Shri Nilkanth Halamkar

Shri Deepak Dhavalikar

Shri Pandurang Madkaikar

Shri Laxmikant Parsekar

Shri Francis D'Souza

Shri Aleixo Reginaldo Lourenco

LEGISLATURE SECRETARIAT

Shri R. Kothandaraman

Secretary

Shri H. F. Nronha

Section Officer

GOVERNMENT SECRETARIAT

Shri K. S. Singh

Secretary (Law & Co-op.)

Shri V. P. Shetye

Secretary (Law)

Shri P. K. Patidar

Registrar (Co-op. Societies)

Shri C. D. Gawade

Dy. Registrar (Co-op.)



3. Shri Francis D'Souza raised an objection that the draft of a new Bill cannot be considered by the Committee as the Select Committee had been appointed by the House only to consider the Goa Co-operative Societies (Amendment) Bill, 2008 (37 of 2008) introduced in the House on 25 August, 2008.

4. After some deliberations, the Departmental representatives informed the Committee that the Government proposes to promulgate an Ordinance incorporating the provisions of the Bill, as introduced in the House, with additional provisions amending the principal Act. Some members however desired that since the co-operative societies have undergone vast changes, the whole of the principal Act needed to be restructured.

5. Heeding to that suggestion, the Chairman took the sense of the Committee on the following two points:

- (i) The whole Act may be reviewed and restructured as suggested by the members of the Committee; and
- (ii) To commence with, the Bill, as introduced in the Legislative Assembly, may be withdrawn by leave of the House when it meets next to facilitate the enactment of an enlarged Bill, which is being addressed by the Government, for promulgation as an Ordinance.

6. The Committee fully agreed to the suggestions made by the Chairman and decided to give a report to the Speaker and the House on the above lines.

**The Committee thereafter adjourned.**

(A digital record of the proceedings was kept).

**ANNEXURE – V**

**BULLETIN PART – II (NO. 12) DATED 6 JANUARY, 2009**

**EXTENSION OF TIME FOR PRESENTATION OF REPORT ON  
THE SELECT COMMITTEE ON**

- (1) THE GOA POLICE BILL, 2008
- AND
- (2) THE GOA CO-OPERATIVE SOCIETIES  
(AMENDMENT) BILL, 2008

As the House is not in Session, the Hon. Speaker has extended the time for presentation of the report of Select Committee on,

- (1) the Goa Police Bill, 2008; and
- (2) the Goa Co-operative Societies (Amendment) Bill, 2008;

to the last day of the first week in which the House meets for the next session i.e the Sixth Session.

PORVORIM, GOA.  
6 JANUARY, 2009.

R. KOTHANDARAMAN  
SECRETARY

**ANNEXURE - VI**

**MINUTES OF THE MEETING OF THE SELECT COMMITTEE  
ON THE GOA CO-OPERATIVE SOCIETIES (AMENDMENT)  
BILL, 2008 HELD ON 28th JANUARY, 2009**

The Committee met at 3.00 p.m. on 28 January, 2009 in the Public Accounts Committee Room, Assembly Complex, Porvorim, Goa.

2. The following were present:

**CHAIRMAN**

Shri Ravi Naik

Hn'ble Minister for Co-operation

**MEMBERS**

Shri Nilkanth Halarnkar

Shri Laxmikant Parsekar

Shri Francis D'Souza

Shri Aleixo Reginaldo Lourenco

**LEGISLATURE SECRETARIAT**

Shri R. Kothandaraman

Secretary

Shri N. B. Subhedar

Under Secretary

Shri H. F. Noronha

Section Officer

3. The Committee was informed that some amendments as shown in Annexure - VII are proposed to the Bill. In the light of the official amendments proposed to the Bill, the Committee reconsidered its own views arrived at the last sitting and recommended that the Bill be passed with the official and other amendments during the sixth session.

4. The Committee considered and adopted the draft First Report on the Goa Co-operative Societies (Amendment) Bill, 2008. The Committee authorized the Chairman to present the same to the House at its Sixth Session.

5. The Committee decided to thoroughly examine the Goa Co-operative Societies Act, 2001 (Act No. 36 of 2001) and for that purpose, to undertake study tour to Maharashtra.

**The Committee thereafter adjourned.**

(A digital record of the proceedings was kept).

## ANNEXURE — VII

## AMENDMENTS PROPOSED TO THE BILL

S. No.	Amendment No.	Clause No.
1.	For the existing clause 2, the following shall be substituted, namely:—  <b>"Amendment to Section 2:—</b> In section 2 of the Goa Co-operative Societies Act, 2001 (Act No. 36 of 2001) (hereinafter referred to as the principal Act), sub-section (16) shall be omitted."	2
2.	For the existing clause 5, the following shall be substituted, namely:—  <b>"Amendment to Section 21:—</b> In section 21 of the principal Act,—  (i) after clause (d) in sub-section (2), the following shall be inserted, namely:—  '(e) Any Self Help Group formed by women for mutual assistance or with an objective to avail any type of assistance from the Government or any organization for their social, economic, cultural and educational improvement.'  (ii) the proviso to sub-section (3) shall be omitted.	5
3.	Clause 6 may be omitted.	6
4.	Clause 8 may be omitted.	8
5.	Clause 9 may be omitted.	9
6.	For the existing clause 11, the following shall be substituted, namely:—  <b>"11. Insertion of new section 58A: After section 58 in the principal Act, the following shall be inserted, namely:</b>  <b>'58A. Special General Meeting: (1) A special general meeting may be called,—</b>  (i) at any time by the Chairman; or  (ii) within one month from the date of submission of a requisition in writing to that effect by at least one-tenth of the total number of members of the society or by at least one-tenth of the total number of elected representatives or by such number of members as specified in the bye-laws for the purpose; or	11

(iii) at the instance of the Registrar; or

(iv) in the case of a society which is a member of a federal society, at the instance of the committee of such federal society.

(2) Where, any officer or a member of the Committee, whose duty is to call such meeting, fails, without reasonable excuse, to call such meeting, the Registrar may, by Order, declare such member as disqualified for being a member of the Committee for such period not exceeding five years, as he may specify in such order or impose on such officer a penalty not exceeding one hundred rupees for each day of default. Before making an order under this sub-section, the Registrar shall give, or cause to be given, a reasonable opportunity to the person concerned for showing cause as to why the action proposed should not be taken against him.

(3) If a special general meeting of a society is not called in accordance with the requisition referred to in clause (ii) of sub-section (1), the Registrar or any person authorized by him in this behalf, shall have power to call such meeting and that such meeting, when called, shall be deemed to be a meeting duly called by the Committee.

(4) The Registrar shall have the power to order that the expenditure incurred in calling a meeting under sub-section (3) shall be paid out of the funds of the society or by such person or persons, who in the opinion of the Registrar, were responsible for the refusal of failure to convene a meeting".

7. Clause 15 may be omitted.	15
8. Clause 30 may be omitted.	30

LA/LEGN/2009/3324

The Select Committee Report on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 which was presented in the Legislative Assembly of the State of Goa on 3rd February, 2009 is hereby published for general information in pursuance of Rule - 231 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

**COMPOSITION OF THE SELECT COMMITTEE ON THE  
GOA BUILDINGS (LEASE, RENT AND EVICTION)  
CONTROL (AMENDMENT) BILL, 2008**

CHAIRMAN

Shri Jose Philip D'Souza

Minister for Revenue

# MEMBERS

Shri Manohar Parrikar	Leader of Opposition
Shri Francis Silveira	
Shri Agnelo Fernandes	
Shri Aleixo Reginaldo Lourenco	
Shri Laxmikant Parsekar	
Shri Nilkanth Halamkar	

# LEGISLATURE SECRETARIAT

Shri R. Kothandaraman	Secretary
Shri N. B. Subhedar	Under Secretary
Shri H. F. Noronha	Section Officer

# INTRODUCTION

I, the Chairman of the Select Committee on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 (Bill No.15 of 2008), having been authorized by the Committee to present this Report, present it to the House during its sixth session.

PORVORIM, GOA.

29th JANUARY, 2009.

JOSE PHILIP D'SOUZA

(HON'BLE MINISTER FOR REVENUE)

CHAIRMAN

# REPORT

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 was introduced in the Goa Legislative Assembly on 24th March, 2008. The Bill was referred to a Select Committee under the Chairmanship of the Hon'ble Minister for Revenue by a motion adopted by the House on 25th March, 2008. (The composition of the Select Committee is at Annexure - I)

2. At its sitting held on the 24th October, 2008, the Committee decided to elicit public opinion on the Bill. The minutes of the meeting may be seen at Annexure - II. The Bill was accordingly placed on the official website of the Goa Legislative Assembly and an advertisement was also published in the Newspapers. However, except a lone representation, not much public opinion was received on the Bill.

3. At its sitting held on the 23rd January, 2009, the Committee felt that adequate safeguards should be incorporated in the Bill against possible misuse of the Bill by NRIs for evicting tenants and transferring property to land grabbers and others. The minutes of the meeting may be seen at Annexure - III.

4. At its sitting held on the 28th January, 2009, the Committee considered the list of official amendments proposed to be moved to the Bill. The minutes of the meeting are at Annexure - IV and the official amendments proposed to the Bill are at Annexure - V. **The Committee accordingly recommends that the Bill be considered and passed with the official and other amendments.**

6. The Committee adopted this Report at its meeting held on 29th January, 2009. The minutes of the meeting are at Annexure-VI.

**ANNEXURE — I**

**BULLETIN PART — I (No. 7) DATED 25 MARCH, 2008**

**PARA 10**

**GOVERNMENT BILL REFERRED TO SELECT COMMITTEE**

On an amendment to the motion for consideration of the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008, moved by Shri Jose Philip D'Souza, Minister for Revenue that the Bill be referred to a Select Committee, the Bill was referred to a Select Committee comprising the following:—

**CHAIRMAN**

Shri Jose Philip D'Souza                      Minister for Revenue

**MEMBERS**

Shri Manohar Parrikar                      Leader of Opposition  
 Shri Francis Silveira  
 Shri Agnelo Fernandes  
 Shri Aleixo Reginaldo Lourenco  
 Shri Laxmikant Parsekar  
 Shri Nilkanth Halamkar

**ANNEXURE - II**

**MINUTES OF THE MEETING OF THE SELECT COMMITTEE  
 ON THE GOA BUILDINGS (LEASE, RENT AND EVICTION)  
 CONTROL (AMENDMENT) BILL, 2008 HELD ON THE  
 24TH OCTOBER, 2008**

1. The first meeting of the Select Committee on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 [introduced on 24-3-2008 and referred to Select Committee on 25-3-2008] was held at 11.30 a.m. in PUC Room, Goa Legislative Assembly Building, Porvorim, Goa.

2. The following were present:

**CHAIRMAN**

Shri Jose Philip D'Souza                      Minister for Revenue

**MEMBERS**

Shri Nilkanth Halamkar  
 Shri Aleixo Reginaldo Lourenco  
 Shri Laxmikant Parsekar

**LEGISLATURE SECRETARIAT**

Shri R. Kothandaraman                      Secretary  
 Shri N. B. Subhedar                      Under Secretary  
 Shri H. F. Noronha                      Section Officer

**GOVERNMENT SECRETARIAT**

Shri Anand Prakash                      Secretary (Revenue)

3 The Committee decided the following:

- (1) to elicit written views of the Chairman and Members of the Select Committee on the Bill;
- (2) to elicit public opinion on the Bill by advertisement and by placing the Bill on the website;
- (3) to hear the views of the Commissioner, NRI Affairs and others concerned;
- (4) to incorporate in the Bill the salient features found in similar legislations in the other States especially an embargo on sale of property recovered by NRIs for a specified period; and
- (5) to present its report to the Speaker/House by the last day of November, 2008.

The Committee then adjourned.

(A digital record of the proceedings was kept).

### ANNEXURE - III

#### **MINUTES OF THE MEETING OF THE SELECT COMMITTEE ON THE GOA BUILDINGS (LEASE, RENT AND EVICTION) CONTROL (AMENDMENT) BILL, 2008 HELD ON THE 23rd JANUARY, 2009**

A meeting of the Select Committee on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 was held at 11.30 a.m. on the 23rd January, 2009 in PAC Room, Goa Legislative Assembly.

2 The following were present:

#### CHAIRMAN

Shri Jose Philip D'Souza Minister for Revenue

#### MEMBERS

Shri Manohar Parrikar  
Shri Agnelo Fernandes  
Shri Laxmikant Parsekar  
Shri Aleixo Reginaldo Lourenco

#### LEGISLATURE SECRETARIAT

Shri R. Kothandaraman	Secretary
Shri N. B. Subhedar	Under Secretary
Shri H. F. Noronha	Section Officer

#### GOVERNMENT SECRETARIAT

Shri V. P. Shetye	Secretary (Law)
Shri U. D. Kamat	Director (NRI Affairs)
Shri D. M. Redkar	Under Secretary (Revenue)

3. Several members including the Leader of Opposition raised strong objections to the present content of the Bill since there was scope for abuse of those provisions by NRIs to evict tenants for transferring the property recovered by immediate possession to land grabbers, builders etc. The Committee desired that the Bill may be redrafted with adequate safeguards against the perceived misuse.

4. The Committee decided to meet again at 11.30 a.m. on the 28th January, 2009.

5. The Committee thereafter adjourned.

(A digital record of the proceedings was kept for record).

#### ANNEXURE -IV

#### MINUTES OF THE MEETING OF THE SELECT COMMITTEE ON THE GOA BUILDINGS (LEASE, RENT AND EVICTION) CONTROL (AMENDMENT) BILL, 2008 HELD ON THE 28th JANUARY, 2009

A meeting of the Select Committee on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 was held at 11.30 a.m. on the 28th January, 2009 in PAC Room, Goa Legislative Assembly.

2 The following were present:

#### CHAIRMAN

Shri Jose Philip D'Souza Minister for Revenue

#### MEMBERS

Shri Francis Silveira  
Shri Agnelo Fernandes  
Shri Aleixo Reginaldo Lourenco

#### LEGISLATURE SECRETARIAT

Shri R. Kothandaraman	Secretary
Shri N. B. Subhedar	Under Secretary
Shri H. F. Noronha	Section Officer

#### GOVERNMENT SECRETARIAT

Shri Anand Prakash	Development Commissioner
Shri V. P. Shetye	Secretary (Law)
Shri U. D. Kamat	Director (NRI Affairs)
Shri D. M. Redkar	Under Secretary (Revenue)

3. Draft amendments (Annexure - V) to the Bill, as proposed by the Government, were considered.

4. The Committee decided to meet on the 29th January, 2009 to consider the draft report

5. The Committee thereafter adjourned.

(A digital record of the proceedings was kept for record).



ANNEXURE — V

**PROPOSED OFFICIAL AMENDMENTS TO THE GOA  
BUILDING (LEASE, RENT AND EVICTION) CONTROL  
(AMENDMENT) BILL, 2008  
(BILL No. 15 OF 2008)**

1. After sub-section (3B) (a), the following proviso shall be inserted, namely:—

"Provided that the Non-Resident Indian had become the owner of such premise prior to the creation of the tenancy in respect of the said premise, except where the Non-Resident Indian had acquired ownership by inheritance.

2. After clause (a) of sub-section 3B, the following sub-clause (aa) shall be inserted, namely:—

"(aa) Where a Non-Resident Indian recovers possession of a premise under above section, he or she shall not transfer it through sale or any other means or let it out before the expiry of a period of three years from the date of taking possession of the premise, failing which, the evicted tenant may apply to the Controller for an order that he or she be restored the possession of the said premise and the Controller shall make an order accordingly."

ANNEXURE - VI

**MINUTES OF THE MEETING OF THE SELECT COMMITTEE  
ON THE GOA BUILDINGS (LEASE, RENT AND EVICTION)  
CONTROL (AMENDMENT) BILL, 2008 HELD ON THE  
29th JANUARY, 2009**

The Third meeting of the Select Committee on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008 was held on 29th January, 2009 at 3.00 a.m. in PAC Room, Goa Legislative Assembly.

2. The following were present:

CHAIRMAN

Shri Jose Philip D'souza Minister for Revenue

MEMBERS

Shri Manohar Parrikar  
Shri Francis Silveira  
Shri Agnelo Fernandes  
Shri Nilkanth Halamkar  
Shri Laxmikant Parsekar  
Shri Aleixo Reginaldo Lourenco

LEGISLATURE SECRETARIAT

Shri R. Kothandaraman Secretary  
Shri N. B. Subhedar Under Secretary  
Shri H. F. Nronha Section Officer

3. The Committee considered and adopted the draft report on the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2008.

4. The meeting then adjourned.

(A digital record of the proceedings was kept).

LA/LEGN/2009/3325

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 23rd February, 2009 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

## The Goa Industrial Development (Amendment) Bill, 2009

(Bill No. 3 of 2009)

A

BILL

*further to amend the Goa Industrial Development Act, 1965 (Act 22 of 1965).*

BE it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa Industrial Development (Amendment) Act, 2009.

(2) It shall be deemed to have come into force on the 1st day of October, 2008.

2. **Amendment of section 2.**— In section 2 of the Goa Industrial Development Act, 1965 (Act 22 of 1965) (hereinafter referred to as the “**principal Act**”), for clause (e), the following clause shall be substituted, namely:—

“(e) “**Development**” with its grammatical variations and cognate expressions, means the carrying out of building, engineering, quarrying, mining or other operations, in, on, over, or under land, or the making of any material change of any building or land, and includes re-development and “**to develop**” shall be construed accordingly;”

3. **Amendment of section 13.**— In section 13 of the principal Act, after clause (b), the following clause shall be inserted, namely:—

“(c) **undertake mining and infrastructure for mining development and such other related activities within India subject to provisions of law;**”

4. **Repeal and saving.**— (1) The Goa Industrial Development (Amendment) Ordinance, 2008 (Ordinance No. 7 of 2008), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under the principal Act, as amended by this Act.

## Statement of Objects and Reasons

The Bill seeks to substitute the definition of the term “Development” and insert clause (c), after clause (b), in section 13 of the Goa Industrial Development Act, 1965 (Act 22 of 1965), so as to enable the Goa Industrial Development Corporation to undertake mining and infrastructure for mining development and such other related activities within India subject to provisions of law.

The Bill also seeks to repeal the Goa Industrial Development (Amendment) Ordinance, 2008 (Ordinance No. 7 of 2008), promulgated by the Governor of Goa on 01-10-2008.

This Bill seeks to achieve the above objects.

## Financial Memorandum

No financial implications are involved in the Bill.

## Memorandum Regarding Delegated Legislation

No delegated Legislation is involved in this Bill.

Porvorim – Goa.  
30th January, 2009.

DIGAMBAR KAMAT  
Minister for Industries/  
/Chief Minister.

Assembly Hall,  
Porvorim – Goa.  
30th January, 2009.

R. KOTHANDARAMAN  
Secretary to the Legislative  
Assembly of Goa.

## ANNEXURE

### Extract of Section 2 & Section 13 of the Goa Industrial Development Act, 1965 (Act No. 22 of 1965)

Section 2.

“(e) “Development” with its grammatical variations, means the carrying out of building, engineering,

quarrying or other operations, in, on, over or under land, or the making, of any material change, any building or land, and includes re-development, but does not include mining operations in and "to develop" shall be construed accordingly".

### Section 13.

13. *Functions.*— The functions of the Corporation shall be –

(i) Generally to promote and assist in the rapid and orderly establishment, growth and development of industries in the 27 [State of Goa].

(ii) In particular, and without prejudice to the generality of clause (i) to—

(a) establish and manage industrial estates at places selected by the State Government;

(b) develop industrial areas selected by the State Government for the purpose and make them available for undertakings to establish themselves;

### 28(c) deleted

29[(d) undertake schemes or works either jointly or on agency basis with other corporate bodies or institutions, or with Government in furtherance or the purposes for which the Corporation is established and all matter connected therewith].

Assembly Hall,  
Porvorim – Goa.  
30th January, 2009.

R. KOTHANDARAMAN  
Secretary to the Legislative  
Assembly of Goa.

LA/LEGN/2009/3326

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 3rd February, 2009 is hereby published for general information in pursuance of Rule – 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

### THE GOA PANCHAYAT RAJ (AMENDMENT) BILL, 2009

(Bill No. 4 of 2009)

A

BILL

further to amend the Goa Panchayat Raj Act, 1994  
(Goa Act 14 of 1994).

Be it enacted by the Legislative Assembly of the State of Goa in the Sixtieth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Amendment) Act, 2009.

(2) It shall come into force at once.

2. *Amendment of section 47.*— In section 47 of the principal Act, after clause (iii), the following shall be inserted, namely:—

"(iv) to execute the orders passed by the Block Development Officer, Deputy Director, Director, State Election Commissioner and/or the Government under the provisions of this Act or rules framed thereunder, within the time limit specified in such order".

3. *Amendment of section 64.*— In section 64 of the principal Act,—

(i) in sub-section (1), in clause (d), for the words "rupees one thousand," the words "rupees five thousand" shall be substituted;

(ii) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The Deputy Sarpanch of the Panchayat shall exercise all the powers and perform all the duties and functions of the Sarpanch of the Panchayat, whenever the Sarpanch is absent or is on leave or resigns from office or expires or is disqualified or is incapacitated from functioning or if a motion of no confidence is passed against him under section 51 of this Act, until the Sarpanch resumes his office or the post of Sarpanch is filled by election, as the case may be.".

4. *Amendment of section 134.*— In section 134 of the principal Act, for the words "and elected", wherever they occur the words ",elected and co-opted" shall be substituted.

5. *Amendment of section 168.*— In section 168 of the principal Act, in sub-section (2), in clause (a), for the words "and elected" the words ",elected and co-opted" shall be substituted.

6. *Insertion of new section 244C.*— After section 244B of the principal Act, the following new section shall be inserted, namely:—

244C. *Transfer of proceedings.*— (1) The Director may, either on his own or on an application from any affected person, transfer any proceedings from one Chief Executive Officer to another Chief Executive Officer, one Deputy Director to another Deputy Director and from one Block Development Officer to another Block Development Officer.

(2) The Government may, either on its own or on an application from any affected person, transfer any proceedings pending before the Director to the Additional Director and viceversa.

### Statement of Object and Reasons

The Bill seeks to amend section 47 of the said Act so as to empower the Secretary of Panchayat to execute the orders passed by the Block Development Officer, Director and Deputy Director of Panchayats, State Election Commissioner and the Government.

The Bill seeks to amend section 64 of the said Act so as to enhance limit of the Sarpanch to incur expenditure on any matter in an emergency and in public interest from rupees one thousand to rupees five thousand.

The Bill seeks to amend section 134 of the said Act so as to give benefit of salary etc. to the co-opted members of the Zilla Panchayats.

The Bill seeks to insert an additional sub-section in section 168 of the Act so as to provide for payment of salaries etc. to the co-opted members of the Zilla Panchayat.

The Bill seeks to insert new section 244C in the said Act so as to facilitate transfer of proceedings from one authority to another.

This Bill seeks to achieve the above objects

### Financial Memorandum

The financial implications arising out of this Bill will be met from Panchayat funds and grants provided to the Zilla Panchayats by the Government. Hence, there is no additional burden on exchequer.

### Memorandum Regarding Delegated Legislature

No delegated legislation is involved in this Bill.

Assembly Hall,  
Porvorim-Goa,  
Dated: 30-01-2009.

MANOHAR T. AZGOANKAR,  
Minister for Panchayats

Assembly Hall,  
Porvorim-Goa,  
Dated: 30-01-2009.

R. KOTHANDARAMAN  
Secretary

(Annexure to Bill No. 4 of 2009)

### The Goa Panchayat Raj Act, 1994 (Act 14 of 1994)

Section 47:— *Executive powers and functions of the Secretary.*— Notwithstanding anything contained in this Act and the rules framed thereunder, the Secretary shall also exercise the powers on the following matters, namely:—

(i) to issue the licences for construction, repairs, modification, alteration, so also occupancy certificate in pursuance of the resolution of the Panchayat;

(ii) to initiate action for stopping and or demolishing an unauthorized structure/building constructed without the permission of the Panchayat after resolution is passed to that effect;

(iii) to execute the resolution passed by the Panchayat body.”]

<sup>16</sup>[“47.— *A. Executive powers of the Sarpanch.*— Notwithstanding anything contained in this Act and the rules framed thereunder, the Sarpanch shall exercise the powers on the following matters, namely:—

(i) to implement the programme of welfare schemes and other development works;

(ii) to execute and implement the resolution passed by the Panchayat on the matters not specified in section 47”.]

Section 64:— *Powers and Duties of the Sarpanch and Deputy Sarpanch.*— (1) The Sarpanch of the Panchayat shall, in addition to the power exercisable under any other provision of this Act or rules made thereunder, —

(a) convene meeting of the Panchayat;

(b) have access to the records of the Panchayat ; <sup>28</sup>[...]

(c) exercise supervision and control over the acts of the officers and employees of the Panchayat .

<sup>29</sup>[“(d) incur expenditure not exceeding rupees one thousand per month on any matter in an emergency and in public interest;

(e) recommend or not, the sanction of any kind of leave to all the officers and employees of the Panchayat including the Gram Sevaki;

(f) place all the correspondence received from the Government, Director, Chief Executive Officer, before the meeting of the Panchayat;

(g) hold regular Gram Sabha and other meetings of the Panchayat;

(h) recover the tax, fees and other dues from the defaulters of the Panchayat;

(i) place the audit report before the meeting of the Panchayat and ensure its due compliance;

(j) stop any unauthorized construction erected in the Panchayat area notwithstanding anything contained in sub-section (3) of section 66 of this Act and place the matter immediately before the ensuing meeting of the Panchayat for taking suitable decision;

(k) remove encroachment and obstruction upon public property, street, drains and open sites not being private property;

(l) ensure due compliance of the provisions of the Act; and

(m) comply with the directions/instructions issued by the Director, Chief Executive Officer, Deputy Director or Block Development Officer.”]

(2) The Sarpanch may, if in his opinion the immediate execution of any work or doing of any act which requires the sanction of a committee or of the Panchayat, is necessary in public interest convene a meeting for the purpose with a notice of twenty four hours.

(3) The Deputy Sarpanch of the Panchayat shall exercise the powers and perform the duties of the Sarpanch when the Sarpanch is absent, on leave or is incapacitated from functioning.

<sup>44C</sup> “134. *Salary and Allowances to the Adhyaksha, Upadhyaksha as elected members of the Zilla Panchayat.*— The salary, allowances of the Adhyaksha, Upadhyaksha and elected members of the Zilla Panchayat shall be as prescribed”.

**Section 168:— Application of Zilla Panchayat Fund and property.**— (1) Subject to the provisions of this Act and the rules made thereunder and such general or special orders as the Government may make, all property owned by or vested in the Zilla Panchayat under this Act and all funds received by it and all sums accruing to it under the provisions of this Act or any other law for the time being in force shall be applied for the purposes for which by or under this Act or any other law for the time being in force, powers are conferred or duties are imposed upon the Zilla Panchayat:

Provided that no expenditure shall be incurred out of the Zilla Panchayat Fund unless provision therefor has been made in the budget of the Zilla Panchayat or funds are obtained by re-appropriation duly approved except in such cases as may be prescribed.

(2) The Zilla Panchayat Fund and all property held or vested in the Zilla Panchayat under this Act shall be applied, subject to the provisions of this Act, for the payment of,—

(a) Salaries and allowances to the Adhyaksha, Upadhyaksha and elected members of the Zilla Panchayat or members of any committee thereof and travelling and daily allowances to the Adhyaksha and Upadhyaksha or tours outside the district, subject to such rules as may be made in this behalf by the Government”.

(b) the salaries, allowances, pensions and gratuities of its officers and employees other than those whose salaries and allowances are paid from the Consolidated Fund of the State;

(c) any amounts falling due on any loans contracted by the Zilla Panchayat;

(d) for the purposes specified in this Act;

(e) all other purposes for which by or under this Act or the rules or regulations made thereunder or by or under any other law for the time being in force, powers are conferred or duties are imposed upon the Zilla Panchayat;

(f) with the previous sanction of the Government, for any other purpose for which the application of such property or fund is necessary in public interest:

Provided that any fund granted to the Zilla Panchayat by the Government or any person or local authority for any specific work or purpose, shall be applied exclusively for such work or purpose and in accordance with such instruction as the Government may specify, either generally or specially in this behalf.

**Section 244:— Power of Government to make model regulations and bye-laws and adoption of such regulations and bye-laws by the Panchayat.**— (1) The Government may subject to the provisions of this Act and the rules made under section 240, and previous publication of the draft for not less than one month, make model regulations and bye-laws for Panchayats and Zilla Panchayats.

(2) A Panchayat or Zilla Panchayat may by resolution adopt the model bye-laws or regulations, as the case may be, made under sub-section (1) and such bye-laws and regulations shall come into force within jurisdiction of the Panchayat or Zilla Panchayat from such date as the case may be, it may specify in a notice published in the prescribed manner.

(3) The Government may, by order, direct any Panchayat, of Zilla Panchayat to adopt the model bye-laws and regulations in respect of any matter within such period not being less than three months from the date of receipt of the direction by the Panchayat or Zilla Panchayat concerned.

(4) If any Panchayat, or Zilla Panchayat, fails to take any action for adopting the model bye-laws or regulations, as the case may be, the Government may, by notification, declare that the said model bye-laws or regulations, as the case may be, shall come into force within the

jurisdiction of the Panchayat or Zilla Panchayat from such date as may be specified in such notification, and such bye-laws or regulations, as the case may be, shall come into force accordingly.

(5) The provision of this section shall have the effect notwithstanding anything contained in sections 242 and 243.

<sup>71A</sup> [“244. A- *Power of Government to exercise any function.*— Notwithstanding anything contrary contained in the Act the Government may, in the public interest, exercise any of the functions enumerated in schedules I and II appended to the Act, for the purpose of carrying out any developmental work in the jurisdiction of the Panchayat without consultation with the Panchayat or Zilla Panchayat.”

<sup>71A</sup> [“244. B- *Power of Government to allow to carry out any developmental works in any Panchayat area.*— Notwithstanding anything contained in this Act, the Government, in the public interest, may issue directions to the Panchayats to carry out any developmental works, or such other functions as the Government deems fit, including to permit construction of a structure/building in the following cases:—

- (i) Promotion of information technology;
- (ii) Promotion of co-operative movement;
- (iii) Self-employment schemes for all categories.”

ASSEMBLY HALL, R. KOTHANDARAMAN  
PORVORIM-G OA, Secretary to the Legislative  
30<sup>th</sup> JANUARY, 2009. Assembly of Goa.

LA/LEGN/2009/3343

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 4th February, 2009 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

## THE GOA ADMINISTRATIVE TRIBUNALS (AMENDMENT) BILL, 2009

(Bill No. 5 of 2009)

A

BILL

*further to amend the Goa Administrative Tribunals Act, 1965 (Act 6 of 1965).*

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India, as follows.—

1. *Short title and commencement.*— (1) This Act may be called the Goa Administrative Tribunals (Amendment) Act, 2009.

(2) It shall come into force on such date as the Government may, by Notification in the Official Gazette, appoint.

2. *Amendment of section 3.*— In section 3 of the Goa Administrative Tribunal Act, 1965 (Act 6 of 1965) (hereinafter referred to as the “principal Act”), for sub-sections (1) and (2), the following sub-sections shall be substituted, namely.—

“(1) The State Government shall, by Notification in the Official Gazette, constitute for each district of the State, a Tribunal to exercise the jurisdiction, perform the functions and discharge the duties entrusted to it by or under this Act or any other law for the time being in force.

(2) Each Tribunal shall consist of a President and an Additional President, as the State Government may deem fit. Both, the President as well as the Additional President, shall have co-extensive powers and concurrent jurisdiction to deal with cases filed in the Tribunals. The Additional President shall decide such cases as are made over to him by the President”.

3. *Insertion of new section 3A.*— After section 3 of the principal Act, the following section shall be inserted, namely:—

**“3A – Tribunal for the North Goa District.— On and from the date of commencement of the Goa Administrative Tribunal (Amendment) Act, 2009, the Tribunal constituted and functioning for the State of Goa, shall be deemed to be the Administrative Tribunal for the North Goa District and the President and the Additional President appointed under the Act shall continue to function as the President and Additional President, respectively, for the Tribunal for the North Goa District”.**

4. *Amendment of section 5.*— In section 5 of the principal Act, for the expression “**The Tribunal shall ordinarily sit at Panaji**”, the expression “**The Tribunal shall ordinarily sit at District Head-**

**quarters in North Goa and in South Goa District, respectively"** shall be substituted.

5. *Insertion of new section 6A.*— After section 6 of the principal Act, the following section shall be inserted, namely:—

**"6A.— Transfer of Appeal, Revision, Application, other matters pending before Tribunal.**— Notwithstanding anything contained in this Act or any other law for time being in force all appeals, revisions, applications, other matters etc. relating to South Goa District, received and registered under section 6 of the Act and pending before the Tribunal at Panaji, immediately before the commencement of the Goa Administrative Tribunal (Amendment) Act, 2009, shall, on such commencement stand transferred to the Tribunal for the South Goa District and the President of the Tribunal for the South Goa District shall proceed to deal with such appeals, revisions, applications etc. from the stage which was reached before such transfer or from any earlier stage or *denovo*, as the President may deem fit".

#### Statements of Objects and Reasons

Section 3 of the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act No. 6 of 1965) empowers the Government to constitute Administrative Tribunal for the State of Goa to exercise the jurisdiction and perform the functions and to discharge the duties entrusted to it under the Act and any other law for the time being in force.

As per sub-section (2) of section 3 amended vide the Amendment Act 54 of 2001, the Government is invested with the powers towards appointment of Addl. President of the Administrative Tribunal. The Addl. President would decide such cases as are made over to him by the President.

In pursuance of section 5(1) of the Act, 1965 the Administrative Tribunal would ordinarily sit at Panaji but may sit at any other place convenient for transaction of the business which the President with the approval of the Government, may, by general or special order, notify in the Official Gazette.

As the Administrative Tribunal is constituted for the entire State of Goa, various appeals, revisions,

applications and other matters of South Goa District have also been filed before the aforesaid Administrative Tribunal. The Advocate Association has also made demand for appointment of a separate Administrative Tribunal for the South Goa District.

Considering the demands of the public at large, it is proposed to constitute a separate Administrative Tribunal for the South Goa District by amending provisions of section 3 suitably, so as to empower the Government to constitute for each District of the State, Administrative Tribunal to exercise the jurisdiction, perform the function and discharge the duties entrusted to it by under the Act or any other law for the time being in force. It is also proposed that each Administrative Tribunal would consist a President and Addl. President as the State Government may deem fit. Both the President as well as the Addl. President shall have co-extensive powers and concurrent jurisdiction to deal with cases filed in the Administrative Tribunal.

As per section 5 of the Act, the sitting of the Administrative Tribunal has been laid down at Panaji, a provision is also made that sitting of each Administrative Tribunal would ordinarily be at the District Headquarters in North Goa District and in South Goa District.

It is also proposed to incorporate a new section 3A after section 3 of the principal Act, to function the existing Administrative Tribunal as Administrative Tribunal for the North Goa District and a deeming provision is contemplated, so that the Administrative Tribunal constituted for Goa would be deemed to be the Administrative Tribunal for the North Goa District and the President and Addl. President presiding over such Tribunal shall continue to function as the President and Addl. President of the Administrative Tribunal of the North Goa District, respectively.

Further, as number of appeals, revisions, applications and other matters pending before the Administrative Tribunal at Panaji are increased considerably, and in view of the proposed constitution of a separate Administrative Tribunal at South Goa District, it is necessary to transfer the applications, matters relating to South Goa District received and registered under section 6 of the Act and pending before the Administrative Tribunal at Panaji, at the commencement of the proposed Amendment Act, to transfer before the

Administrative Tribunal constituted for the South Goa District, so that the said Administrative Tribunal could proceed to deal with such appeals, revisions, applications etc. from the stage which was reached before such transfer or from any earlier stage or de novo, as the President may deem fit. A provision to that effect is also incorporated as section 6A after section 6 of the principal Act.

The Bill seeks to achieve the above object.

### Financial Memorandum

The financial implications including staff, office equipments, furniture, misc. requirements of vehicles and premises will be to the tune of amount Rs. 47,41,000/- at the time of setting up of new Administrative Tribunal at South Goa District.

### Memorandum Regarding Delegated Legislation

Clause 2 of the Amendment Bill empowers the State Government by Notification in Official Gazette, to constitute for each District an Administrative Tribunal, to exercise jurisdiction and perform the functions under the Act or any other law for the time being in force.

This delegation is of normal character.

Porvorim, Goa.                      SHRI DIGAMBAR KAMAT  
Dated: 03-2-2009                      Chief Minister/Law Minister

Assembly Hall,                      R. KOTHANDARAMAN  
Porvorim, Goa.                      Secretary (Legislature)  
Dated: 03-2-2009.

### ANNEXURE

**2 Definition.**— In this Act, unless the context otherwise requires,—

"(a) 'Additional President' means the Additional President of the Tribunal";

**3. Constitution of Tribunal.**— (1) As from the commencement of this Act, there shall be a Tribunal to be called the Administrative Tribunal for the State of Goa to exercise the jurisdiction, perform the functions and discharge the duties entrusted to it by or under this Act or any other law for the time being in force.

(2) The Tribunal shall consist of a President and an Additional President both of whom shall be appointed by the State Government. Both, the President and the Additional President, shall have co-extensive powers and concurrent jurisdiction to deal with cases filed in the

Tribunal. The Additional President shall decide such cases as are made over to him by the President.

(3) The qualifications for a person to be appointed as ["President or Additional President"] shall be such as may be prescribed.

Provided that the President and the Additional President shall be persons who have such legal qualification or experience as may be prescribed.

**5 Sitting and decisions of Tribunal.**— (1) The Tribunal shall ordinarily sit at Panaji; but, may sit at any other place convenient for the transaction of the business, which the ["President"] with the approval of the State Government, may, by general or special order, notify in the Official Gazette.

["(2) The Tribunal shall sit in such manner as may be prescribed by regulations"].

Assembly Hall,  
Porvorim, Goa.  
Dated: 03-2-2009.

R. KOTHANDARAMAN  
Secretary (Legislature)

LA/LEGN/2009/3344

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 4th February, 2009 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

### The Goa Land Revenue (Amendment) Bill, 2009

(Bill No. 6 of 2009)

A

BILL

*further to amend the Goa Land Revenue Code, 1968 (Act 9 of 1969).*

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Goa Land Revenue Code (Amendment) Act, 2009.

(2) It shall come into force at once.



2 **Amendment of section 2.**— In the Goa Land Revenue Code, 1968 (Act 9 of 1969) (hereinafter referred to as the "principal Act"), in section 2, after clause (6), the following clause shall be inserted, namely:—

"(6A) "coastal village" means any tract of land adjoining the sea which the Government may, by notification in the Official Gazette, declare to be a coastal village."

3 **Amendment of section 32.**— In section 32 of the principal Act, for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) When the land is permitted to be used for a non-agricultural purpose, a sanad shall be granted to the holder thereof in the prescribed form, on payment of fees at the following rates, namely:—

(i) Personal housing	Rs. 20/- per square metre.
(ii) Commercial/ /Industrial housing	C1-200 FAR Rs. 100/- per square metre. C2-150 FAR Rs. 80/- per square metre. S1-100 FAR Rs. 60/- per square metre. S2-80 FAR Rs. 40/- per square metre. 12-80 FAR Rs. 40/- per square metre.
(iii) (a) Commercial/ /Industrial housing in C1-200 FAR under 'A' class Municipalities and Coastal Areas	Rs. 150/- per square metre.
(b) Commercial/ /Industrial housing in C2-150 FAR under 'A' class Municipalities, Municipal Corporations and Coastal Areas.	Rs. 120/- per square metre.

(iv) For any constructions —

(a) in Coastal villages falling within 500 metres from HTL.	Rs. 150/- per square metre.
(b) beyond 500 metres from HTL.	Rs. 80/- per square metre.

Provided that no such fees shall be leviable in cases where sanad is granted—

- (i) for an area not exceeding two hundred square metres;
- (ii) for the purpose of churches, temples, mosques, gurudwaras, sports, hospitals or educational, charitable, cultural or religious institutions."

4 **Amendment of section 97.**— In section 97 of the principal Act, in sub-section (5), for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that an entry in the register of mutations shall not be transferred to the record of rights until such entry has been duly certified and fee as mentioned herein below is paid.

- (i) for parcel of property ... Rs. 200/- upto 1,000 square meters
- (ii) for parcel of property ... Rs. 500/- above 1,000 square meters and upto 10,000 square meters
- (iii) for parcel of property ... Rs. 1,000/- above 10,000 square meters

#### Statement of Objections and Reasons

The Bill seeks to insert a new clause (6A) in section 2 of the Goa Land Revenue Code, 1968 (Act 9 of 1969) so as to define the term "coastal village". The Bill also seeks to substitute a new sub-section for sub-section (6) of section 32 of the said Act so as to enhance the rates of fees for granting of sanad for conversion of use of land from one purpose to another.

The Bill also seeks to substitute the existing proviso to sub-section (5) of section 97 of the said Act with a new proviso so as to lay down the fees for effecting transfer of entry from the register of mutations to the record of rights.

This Bill seeks to achieve the above objects.

## Financial Memorandum

The exact financial implications cannot be quantified.

## Memorandum Regarding Delegated Legislation

- 1 Clause 2 of the Bill empowers the Government to declare any trade of land adjoining the sea by notifications in the Official Gazette, as a coastal village.
- 2 Clause 3 of the Bill empowers the Government to frame Rules specifying forms of sanad for conversion of use of land from one purpose to another on payment of fees at the rates as laid down thereof.

These delegations are of normal nature.

Porvorim, Goa. JOSE PHILIP D'SOUZA  
04th February, 2009. Minister for Revenue

Assembly Hall, R. KOTHANDARAMAN  
Porvorim, Goa. Secretary to the Legislative  
04th February, 2009. Assembly of Goa.

LA/LEGN/2009/3357

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 5th February, 2009 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

## The Goa Appropriation Bill, 2009

(Bill No. 1 of 2009)

A

BILL

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2008-09.*

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:-

**1. Short title.**— This Act may be called the Goa Appropriation Act, 2009.

**2. Issue of Rs. 537,94,00,000 out of the Consolidated Fund of the State of Goa for the financial year 2008-09.**— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule of this Act amounting in the aggregate to the sums of Five hundred thirty seven crores ninety four lakhs rupees towards defraying the several charges which will come in the course of payment during the financial year 2008-2009 in respect of the services and purposes specified in column (2) of the said Schedule.

**3. Appropriation.**— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the Schedule to this Act in relation to the said financial year.

## SCHEDULE

(See sections 2 and 3)

		Rs. in lakhs		
Demand No.	Services and purposes	Sums not exceeding		Total
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	
(1)	(2)	(3)	(4)	(5)
01	Legislature Secretariat	151.00	1.80	152.80
A1	Raj Bhavan ( <i>Charged</i> )	—	68.03	68.03
02	General Administration and Coordination	831.68	—	831.68
03	District and Sessions Court, North Goa	182.96	—	182.96

<i>Rs in lakhs</i>				
(1)	(2)	(3)	(4)	(5)
04	District and Sessions Court, South Goa	151.15	—	151.15
05	Prosecution	51.26	—	51.26
06	Election Office	66.85	—	66.85
07	Settlement and Land Records	54.98	—	54.98
08	Treasury and Accounts Administration, North Goa	88.28	—	88.28
09	Treasury and Accounts Administration, South Goa	56.06	—	56.06
10	Notary Services	98.83	—	98.83
11	Excise	162.00	—	162.00
12	Commercial Taxes	315.00	—	315.00
13	Transport	124.08	—	124.08
A 3	Goa Public Service Commission (Charged)	—	26.20	26.20
14	Goa Sadan	31.12	—	31.12
15	Collectorate, North Goa	171.00	—	171.00
16	Collectorate, South Goa	226.00	—	226.00
17	Police	3516.92	—	3516.92
18	Jails	109.25	—	109.25
19	Industries Trade and Commerce	67.87	—	67.87
20	Printing & Stationery	106.60	—	106.60
21	Public Works	6789.60	28.88	6818.48
22	Vigilance	5.92	—	5.92
25	Home Guard and Civil Defence	13.08	—	13.08
26	Fire and Emergency Services	324.95	—	324.95
27	Official Language	13.84	—	13.84
28	Administrative Tribunal	12.30	—	12.30
30	Small Savings and Lotteries	308.91	—	308.91
31	Panchayats	866.73	—	866.73
34	School Education	12919.79	—	12919.79
35	Higher Education	1120.81	—	1120.81
36	Technical Education	23.20	—	23.20
37	Government Polytechnic, Panaji	73.94	—	73.94
38	Government Polytechnic, Bicholim	58.48	—	58.48
39	Government Polytechnic, Curchorem	4.75	—	4.75
40	Goa College of Engineering	60.00	—	60.00
41	Goa Architecture College	4.81	—	4.81
42	Sports and Youth Affairs	447.88	—	447.88
43	Art and Culture	17.00	—	17.00

<i>Rs in lakhs</i>				
(1)	(2)	(3)	(4)	(5)
44	Goa College of Art	32.31	—	32.31
45	Archives and Archaeology	61.00	—	61.00
46	Museum	9.92	—	9.92
47	Goa Medical College	2583.05	—	2583.05
48	Health Services	3413.35	<b>2.71</b>	3416.06
49	Institute of Psychiatry and Human Behaviour	614.82	—	614.82
50	Goa College of Pharmacy	66.97	—	66.97
51	Goa Dental College	88.54	—	88.54
52	Labour	249.44	—	249.44
53	Foods and Drugs Administration	85.20	—	85.20
54	Town and Country Planning	99.00	—	99.00
55	Municipal Administration	359.02	—	359.02
56	Information and Publicity	315.50	—	315.50
57	Social Welfare	20.82	—	20.82
58	Women and Child Development	415.09	—	415.09
59	Factories and Boilers	48.00	—	48.00
60	Employment	26.17	—	26.17
61	Craftsman Training	664.25	—	664.25
62	Law	49.72	—	49.72
63	Rajya Sainik Board	4.35	—	4.35
64	Agriculture	401.79	—	401.79
65	Animal Husbandry and Veterinary services	662.71	—	662.71
66	Fisheries	173.10	—	173.10
67	Ports Administration	163.21	—	163.21
68	Forests	745.53	—	745.53
70	Civil Supplies	826.07	—	826.07
71	Co-operation	153.58	—	153.58
72	Science, Technology and Environment	2.95	—	2.95
73	State Election Commission	6.13	—	6.13
74	Water Resources	566.44	<b>13.11</b>	579.55
75	Planning, Statistics and Evaluation	96.34	—	96.34
76	Electricity	9911.62	—	9911.62
77	River Navigation	461.50	—	461.50
78	Tourism	563.95	—	563.95
79	Goa Gazetteer	1.70	—	1.70
80	Legal Metrology	36.97	—	36.97
82	Information Technology	2.36	—	2.36
83	Mines	41.92	—	41.92
<b>TOTAL</b>		<b>53653.27</b>	<b>140.73</b>	<b>53794.00</b>

**Statement of Objects and Reasons**

The Supplementary Demands for Grants for the year 2008-2009 (Second Batch) was presented to the Legislative Assembly. This Bill is introduced in pursuance of Article 204 read with Article 205 of the Constitution of India to provide for appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa, to meet the expenditure on certain services, granted by the Legislative Assembly for those services.

DIGAMBER KAVAT  
Finance Minister/Chief Minister

Porvorim,

February, 2009.

**Governor's Recommendation**

The Governor has, in pursuance of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Goa Appropriation Bill, 2009.

LA/LEGN/2009/3373

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 6th February, 2009 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

**The Prevention of Cruelty to Animals  
(Goa Amendment) Bill, 2009**

(Bill No. 2 of 2009)

A

BILL

*to amend the Prevention of Cruelty to Animals Act, 1960 in its application to the State of Goa.*

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Prevention of Cruelty to Animals (Goa Amendment) Act, 2009.

(2) It shall extend to the whole of Goa.

(3) It shall come into force at once.

2. **Amendment of Section.**— In section 11 of the Prevention of Cruelty to Animals Act, 1960 (Act No. 59 of 1960) in its application to the State of Goa, after sub-section (1), the following proviso shall be inserted, namely:—

"Provided nothing in this section shall apply to Dhirio, a traditional animal sport in the State of Goa, involving bulls and buffaloes, which is organised in accordance with the guidelines issued from time to time by the Government of Goa."

**Statement of Objects and Reasons**

Dhirio (bull butting games) have been a traditional sport in the State of Goa for many centuries. It is widely prevalent and very popular in the State. Enthusiasts specially raise prized bulls to compete in the sport. Authorities however have been very strict in restricting the sport on the alleged pretext of implementing the Prevention of Cruelty to Animals Act, 1960. This has led to the arrest and prosecution of the owners, promoters and even the spectators of Dhirios. This Bill seeks to protect Dhirios as part of Goan traditional heritage but mandates the game to be organized within the framework of guidelines of the State Government.

**Financial Memorandum**

No financial implications are involved in this Bill.

**Memorandum Regarding Delegated Legislation**

Strictly no delegated legislation is involved but the State Government is expected to frame guidelines for organizing Dhirios.

Porvorim-Goa

Aleixo Reginaldo Lourenco  
MLA

Dated: 13 January, 2009.

## Department of Panchayati Raj and Community Development

Directorate of Panchayats

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### Notification

17/142/DP-Aoct/Grant of Fin/Asst. Scheme

### The Goa (Grant of Financial Assistance to Economically Weaker Panchayats for Strengthening their Administration) Scheme, 2008

Whereas the Government of Goa has published the Goa (Grant of Financial Assistance to Economically Weaker Panchayats for improving their Administration) Scheme, 2001 under Notification No. 22/4/FAW/SCHEME/2001 dated 20-08-2001 (hereinafter called the "Said Scheme") and,

Whereas Government has observed that most of the Panchayats in Goa have not been able to improve their financial position to meet the expenditure on payment of adequate salaries to the staff appointed by the Panchayats and other administrative expenses incurred by the Panchayats; and

Whereas the Government has now decided to replace the scheme by this new scheme for strengthening all such weaker Panchayats by sanctioning funds towards payment of the salary and other allowances payable to the administrative staff appointed by the Panchayats, in accordance to the prescribed staffing pattern approved by the Government.

Now therefore, the Government of Goa in the interest of all Panchayats and in supersession of the earlier said scheme is pleased to frame the scheme for strengthening the Panchayat administration as follows, namely:-

**1. Short title and commencement.**— (1) This scheme may be called the Goa (Grant of Financial Assistance to Economically Weaker Panchayats for Strengthening their Administration) Scheme, 2008.

(2) It shall come into force with immediate effect.

**2. Eligibility.**— All Panchayats which have been assessed as economically weaker Panchayats shall

be entitled for financial assistance in the manner as provided in the scheme, hereinafter.

**3. Assessment of weaker Panchayats and entitled quantum of assistance.**— (1) The Director of Panchayats, after assessment of the income and expenditure of every Panchayat in the manner as provided herein after and after obtaining approval of the Government and the concurrence of the Finance Department shall notify before the end of the first quarter of every financial year the list of weaker Panchayats eligible for grants from the Government under this scheme and other schemes of the State Government.

(2) Thereafter, the Director of Panchayats shall notify the quantum of grants that shall be sanctioned to Panchayats which have been assessed as weaker Panchayats.

(3) The Director of Panchayats while forwarding the proposal to the Government for sanctioning the grants under this scheme shall take into consideration the following:-

(i) The annual income of every Panchayat for the last preceding year shall be assessed (A).

(ii) The expenditure of payment of salaries to the staff appointed as per the prescribed staffing pattern for every Panchayats shall be assessed (B).

(iii) A certain average amount of other recurring expenditure/revenue expenditure shall be considered by the Government for the Panchayats according to their classification (C).

(iv) Based on the above, Revenue deficit/surplus for each Panchayat [i.e. A - (B+C)] shall be worked out. If this is 'minus', then it may be treated as Revenue Deficit and if it is 'positive' it may be treated as Revenue Surplus.

(v) The Panchayats having revenue deficit as assessed above shall be considered as weaker Panchayats and such Panchayats shall be eligible for grants under this scheme.

**Explanation:** "Annual Income" means the income of the Panchayat from taxes, fees, rents, fines, bank interest, matching grants, sale proceeds, grants in lieu of octroi, etc., but does not include income from grants received for a specific purpose from the State/Central Government or Rural Development Agency.

4. In addition to the grants as sanctioned in para (3) of the scheme after assessing the merits of the case Government may sanction additional funds to such weaker Panchayats to meet the administrative expenditure on any items in any contingent situation if the Panchayat is unable to undertake such works due to lack of funds.

5. *Utilization of Financial Assistance.*— (a) The grants under this scheme shall be released to the Panchayats in two installments, namely, the first installment shall be released in the month of June and the second installment shall be released in the month of October, every year.

(b) The grants sanctioned under this scheme shall be utilized within a period of one year from the date of drawal. However, the Director of Panchayats may extend the time limit in deserving cases.

(c) The grants shall be utilized solely for the purpose of payment of salaries and other allowances to the staff employed by the Panchayats as per the prescribed staffing pattern and for other administrative expenses of the Panchayat.

(d) The Block Development Officers shall draw and disburse the grants on receipt of the sanctioned order from the Director of Panchayats. The grants should be drawn in Form TR 42 duly signed by the Sarpanch and countersigned by the Block Development Officer.

(e) No new grants shall be sanctioned unless the previous grants are fully utilized by the Panchayat. If any amount remains unutilized, the same shall be adjusted against future releases.

(f) The grants sanctioned under this scheme shall also be subject to such other conditions as laid down under the General Financial Rules GFR, as amended from time to time.

(g) A Register shall be maintained by the Panchayat for keeping the record of the grants released and also indicating the amount utilized for the purpose of payment of salaries.

(h) The Panchayats shall ensure that the salary with other allowances is paid to the staff as prescribed under the Goa Panchayat (staffing pattern, scales of pay and mode of Recruitment of staff of Panchayats) Order, 2006 as amended from time to time.

5. *Miscellaneous.*— The Government may by notification published in Official Gazette modify, alter, add or cancel any conditions of this scheme from time to time.

By order and in the name of the Governor of Goa.

*Menino D'Souza*, Director of Panchayats & ex officio Joint Secretary.

Panaji, 2nd February, 2009.